

1                               BEFORE THE  
2                               ILLINOIS COMMERCE COMMISSION

3                               REGULAR OPEN MEETING  
4                               (PUBLIC UTILITY)

5  
6  
7                               Springfield, Illinois  
8                               Tuesday, June 14, 2011

9  
10                           Met, pursuant to notice, at 10:30 a.m.  
11                           in the Audiovisual Conference Room, Second Floor,  
12                           Leland Building, 527 East Capitol Avenue,  
13                           Springfield, Illinois.

14                           PRESENT:

15                           MR. DOUGLAS P. SCOTT, Chairman

16                           MS. LULA M. FORD, Commissioner  
                              (Via videoconference)

17                           MS. ERIN M. O'CONNELL-DIAZ, Commissioner  
18                           (Via videoconference)

19                           MR. SHERMAN J. ELLIOTT, Commissioner

20                           MR. JOHN T. COLGAN, Acting Commissioner

21                           SULLIVAN REPORTING COMPANY  
22                           By Jami Tepker, Reporter  
                              CSR No. 084-003591

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PROCEEDINGS

CHAIRMAN SCOTT: Pursuant to the provisions of the Illinois Open Meetings Act, I now convene a Regular Open Meeting of the Illinois Commerce Commission.

With me in Springfield are Commissioner Elliott and Acting Commissioner Colgan. With us in Chicago are Commissioners Ford and O'Connell-Diaz.

I am Chairman Scott. We have a quorum.

Before moving into the agenda, according to Part 1700.10 of Title 2 of the Administrative Code, this is the time we allow the members of the public to address the Commission.

Members of the public wishing to address the Commission must notify the Chief Clerk's Office at least 24 hours prior to the Commission meeting.

According to the Chief Clerk's Office, we have no requests to speak at today's

1 Regular Open Meeting.

2 Up first today are minutes from

3 prior Commission meetings. And we'll begin with

4 consideration of minutes from our May 4th Bench

5 Session.

6 Is there a motion to approve the

7 minutes?

8 COMMISSIONER ELLIOTT: So moved.

9 CHAIRMAN SCOTT: Is there a second?

10 ACTING COMMISSIONER COLGAN: Second.

11 CHAIRMAN SCOTT: It's been moved and

12 seconded.

13 All in favor say aye.

14 COMMISSIONERS: Aye.

15 CHAIRMAN SCOTT: Any opposed?

16 (No response.)

17 CHAIRMAN SCOTT: The vote is five to

18 nothing and the minutes from our May 4th Bench

19 session are approved.

20 Next up are minutes from our

21 May 18th Bench Session. I understand amendments

22 have been forwarded.

1                   Is there a motion to amend the  
2       minutes?  
3                   ACTING COMMISSIONER COLGAN:   So  
4       moved.  
5                   CHAIRMAN SCOTT:   Is there a second?  
6                   COMMISSIONER ELLIOTT:   Second.  
7                   CHAIRMAN SCOTT:   It's been moved and  
8       seconded.  
9                   All in favor say aye.  
10                  COMMISSIONERS:   Aye.  
11                  CHAIRMAN SCOTT:   Any opposed?  
12                                    (No response.)  
13                  CHAIRMAN SCOTT:   The vote is five  
14       nothing, and the amendments for the May 18th  
15       Bench Session are adopted.  
16                  Is there a motion to approve the  
17       minutes as amended?  
18                  COMMISSIONER ELLIOTT:   So moved.  
19                  CHAIRMAN SCOTT:   Is there a second?  
20                  ACTING COMMISSIONER COLGAN:   Second.  
21                  CHAIRMAN SCOTT:   It's been moved and  
22       seconded.

1 All in favor say aye.

2 COMMISSIONERS: Aye.

3 CHAIRMAN SCOTT: Any opposed?

4 (No response.)

5 CHAIRMAN SCOTT: The vote is five to

6 nothing, and the minutes for the May 18th Bench

7 Session as amended are approved.

8 The third item today concerns

9 initiating a reconciliation proceeding regarding

10 costs incurred by Ameren for its Real-Time

11 Pricing Program.

12 This item will be held for disposition

13 at a future Commission meeting.

14 Items 4 and 5 concern initiating

15 evaluations of ComEd and Ameren's Real-Time

16 Pricing Programs.

17 These items will likewise be held.

18 Item 6 is Docket Number 09-0254.

19 This item concerns a complaint filed by Comcast

20 against ComEd regarding back billing issues.

21 ComEd has brought a Motion to

22 Dismiss. And ALJ Dolan recommends that the

1 Commission enter an Order granting dismissal over  
2 most of the case, leaving only the complaint  
3 concerning the number of and location of  
4 Comcast's power supply boxes.

5 Is there any discussion?

6 (No response.)

7 CHAIRMAN SCOTT: Is there a motion  
8 to enter the Order?

9 COMMISSIONER O'CONNELL-DIAZ: So  
10 moved.

11 CHAIRMAN SCOTT: Is there a second?

12 ACTING COMMISSIONER COLGAN: Second.

13 CHAIRMAN SCOTT: It's been moved and  
14 seconded.

15 All in favor say aye.

16 COMMISSIONERS: Aye.

17 CHAIRMAN SCOTT: Any opposed?

18 (No response.)

19 CHAIRMAN SCOTT: The vote is five to  
20 nothing and the Order granting the Motion to  
21 Dismiss the case in part is entered.

22 We will use this five-to-nothing vote

1       for the remainder of today's Regular Open Meeting  
2       unless otherwise noted.

3                   Item 7 is Docket Number 09-0592.  
4       This item concerns proposed amendments to  
5       Title 83, Parts 412 and 453 of the Administrative  
6       Code.

7                   And we'll be holding this item as  
8       well.

9                   Item 8 is Docket Number 10-0733.  
10      This item concerns revisions to Title 83,  
11      Part 454 regarding implementation of  
12      Section 16-115C of the Public Utilities Act.

13                  ALJ Yoder recommends that the  
14      Commission enter an Order authorizing submission  
15      of the Second Notice of Proposed Amendments to  
16      the Joint Committee on Administrative Rules.

17                  Is there any discussion?

18                               (No response.)

19                  CHAIRMAN SCOTT: Any objections?

20                               (No response.)

21                  CHAIRMAN SCOTT: Hearing none, the  
22      Order is entered and the amendments will be sent

1 to JCAR.

2 Items 9 through 11 (10-0625, 11-0285,  
3 11-0309) can be taken together. These items each  
4 concern customer complaints as to billing and/or  
5 charges against ComEd.

6 In each case the parties have  
7 apparently settled their differences and brought  
8 a Joint Motion to Dismiss, which ALJ Teague  
9 recommends we grant.

10 Is there any discussion?

11 (No response.)

12 CHAIRMAN SCOTT: Any objections?

13 (No response.)

14 CHAIRMAN SCOTT: Hearing none, the  
15 Joint Motions to Dismiss are granted.

16 Items 12 through 20 (11-0317, 11-0376,  
17 11-0377, 11-0389, 11-0407, 11-0422, 11-0426,  
18 11-0427, 11-0445) can be taken together.

19 These items concern petitions to  
20 protect against the disclosure of confidential  
21 and/or proprietary information in the  
22 Petitioner's reports filed with the Commission.



1                   In each case ALJ Albers recommends  
2           that the Commission enter an Order granting the  
3           requested relief.

4                   Is there any discussion?

5                               (No response.)

6                   CHAIRMAN SCOTT: Any objections?

7                               (No response.)

8                   CHAIRMAN SCOTT: Hearing none, the  
9           Orders are entered and the protective relief is  
10          granted.

11                   Item 21 is Docket Number 11-0413.  
12          This is Solo Energy Solutions' petition for  
13          confidential treatment of portions of its annual  
14          agent-broker consultant report.

15                   The company no longer seeks  
16          confidential treatment. And ALJ Albers recommends  
17          that the Commission enter an Order dismissing the  
18          proceeding.

19                   Is there any discussion?

20                               (No response.)

21                   CHAIRMAN SCOTT: Any objections?

22                               (No response.)

1                   CHAIRMAN SCOTT:   Hearing none, the  
2       Order is entered and the matter dismissed.

3                   Item 22 is Docket Number 11-0371.  
4       This is Alphabuyer's Application for Licensure as  
5       an Agent, Broker, and Consultant under  
6       Section 16-115C of the Public Utilities Act.

7                   ALJ Yoder recommends that the  
8       Commission enter an Order granting the requested  
9       authority.

10                  Is there any discussion?

11                               (No response.)

12                  CHAIRMAN SCOTT:   Any objections?

13                               (No response.)

14                  CHAIRMAN SCOTT:   Hearing none, the  
15       Order is entered and the application is granted.

16                  Item 23 is Docket Number 05-0743.  
17       This is Ameren IP's reconciliation case  
18       concerning revenues collected under gas  
19       adjustment charges in 2005.

20                  ALJ Jones recommends that the  
21       Commission enter an Order approving the  
22       reconciliation with a disallowance of recovery for

1       \$631,515, as recommended by Staff.

2                   Is there any discussion?

3                   (No response.)

4                   CHAIRMAN SCOTT: Any objections?

5                   (No response.)

6                   CHAIRMAN SCOTT: Hearing none, the

7       Order is entered.

8                   Item 24 is Docket Number 10-0305.

9       This is New Talk's petition to protect against

10      the disclosure of confidential and/or proprietary

11      information in its 2009 Annual Report.

12                  ALJ Dolan recommends that the

13      Commission enter an Order granting the requested

14      relief for a period of two years.

15                  Is there any discussion?

16                  (No response.)

17                  CHAIRMAN SCOTT: Any objections?

18                  (No response.)

19                  CHAIRMAN SCOTT: Hearing none, the

20      Order is entered and the requested protective

21      relief is granted for two years.

22                  Item 25 is Docket Number 11-0083.

1       This is Illinois Bell Telephone Company's  
2       petition seeking arbitration of an  
3       Interconnection Agreement with Big River  
4       Telephone Company.

5                   ALJ Dolan recommends entry of an  
6       arbitration decision finding traffic service  
7       subject to the rates, terms, and conditions of  
8       service proposed by AT&T Illinois and supported  
9       by the Staff should be included in the  
10      Interconnection Agreement.

11                   Is there any discussion?

12                               (No response.)

13                   CHAIRMAN SCOTT: Any objections?

14                               (No response.)

15                   CHAIRMAN SCOTT: Hearing none, the  
16      arbitration decision is entered.

17                   Items 26 through 31 (11-0094, 11-0095  
18      11-0096, 11-0098, 11-0099, 11-0103) can be taken  
19      together. These items concern citation  
20      proceedings against telecommunications carriers  
21      for failure to file their 2009 Annual Reports.

22                   In each case ALJ Teague recommends

1       that the Commission enter an Order revoking the  
2       Respondent's Certificates of Service Authority  
3       for failure to file its Annual Report.

4                   Is there any discussion?

5                               (No response.)

6                   CHAIRMAN SCOTT: Any objections?

7                               (No response.)

8                   CHAIRMAN SCOTT: Hearing none, the  
9       Orders are entered and the certificates are  
10      revoked.

11                   Item 32 is Docket Number 11-0183.

12                   This is Intercarrier Networks'  
13      application for Certificates of Local Exchange  
14      and Interexchange Authority to operate as a  
15      reseller and/or facilities-based carrier of  
16      telecommunications services throughout Illinois.

17                   ALJ Teague recommends that the  
18      Commission enter an Order granting the requested  
19      certificates.

20                   Is there any discussion?

21                               (No response.)

22                   CHAIRMAN SCOTT: Any objection?

1 (No response.)

2 CHAIRMAN SCOTT: Hearing none, the  
3 Order is entered and the certificates are  
4 granted.

5 Item 33 is Docket Number 11-0215.  
6 This is T-NETIX Telecommunications Services'  
7 petition for the withdrawal of a Certificate of  
8 Interexchange Service Authority previously issued  
9 in Docket Number 92-0326.

10 ALJ Baker recommends that the  
11 Commission enter an Order granting the petition.

12 Is there any discussion?

13 (No response.)

14 CHAIRMAN SCOTT: Any objections?

15 (No response.)

16 CHAIRMAN SCOTT: Hearing none, the  
17 Order is entered and the certificate is  
18 withdrawn.

19 Items 34 and 35 can be taken  
20 together.

21 These items concern reports due to  
22 the General Assembly regarding the spending

1 limitations on energy efficiency and demand  
2 response measures made pursuant to Section 8-103  
3 of the Public Utilities Act and on the  
4 procurement of renewable energy resources  
5 pursuant to Section 1-75 of the Illinois Power  
6 Agency Act.

7 We will be holding these items for  
8 disposition at our June 22nd Bench Session.

9 Judge Wallace, are there any other  
10 matters to come before the Commission today?

11 JUDGE WALLACE: I think that's it.

12 CHAIRMAN SCOTT: Thank you very  
13 much, sir.

14 Hearing nothing, this meeting stands  
15 adjourned.

16 MEETING ADJOURNED

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